

Message Text

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ACTION EUR-12

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L-03 NSAE-00 PA-01 SP-02 SS-15 NSCE-00 SSO-00
ICAE-00 INRE-00 HA-05 /055 W
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O 181752Z MAY 78
FM AMEMBASSY MOSCOW
TO SECSTATE WASHDC IMMEDIATE 1873
INFO AMEMBASSY BELGRADE
AMEMBASSY BERLIN
AMEMBASSY BUCHAREST
AMEMBASSY BUDAPEST
AMCONSUL LENINGRAD
AMEMBASSY LONDON
AMCONSUL MUNICH
AMEMBASSY PARIS
AMEMBASSY PRAGUE
AMEMBASSY SOFIA
USMISSION USNATO
AMEMBASSY WARSAW

C O N F I D E N T I A L SECTION 01 OF 02 MOSCOW 11067

E.O. 11652: GDS
TAGS: SHUM, CSCE, PINT, UR
SUBJECT: ORLOV TRIAL, THE FINAL DAY

REF: (A) MOSCOW 10979, (B) MOSCOW 10980(NOTAL),
(C) STATE 126106(NOTAL)

SUMMARY: TO THE SURPRISE OF NO ONE ON THE SCENE AT THE
COURTHOUSE MAY 18, YURIY ORLOV RECEIVED THE MAXIMUM
SENTENCE OF SEVEN YEARS' IMPRISONMENT AND FIVE YEARS'
INTERNAL EXILE, STRICT REGIME. ALTHOUGH MRS. ORLOV
DESCRIBED THE ATMOSPHERE INSIDE THE COURTROOM AS UGLY, THE
MAIN HAPPENING OF THE DAY OCCURRED OUTSIDE THE COURTHOUSE,
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WHEN AN ARGUMENT BETWEEN SAKHAROV AND MILITIAMEN OVER
SAKHAROV'S BEING ADMITTED LED TO PUSHING AND SHOVING AND
TEMPORARY DETENTION OF SAKHAROV AND HIS WIFE AT A MILITIA
STATION. EMBOFF WAS THE ONLY DIPLOMAT PRESENT DURING THE
DAY, ALTHOUGH MANY WESTERN CORRESPONDENTS WERE ON HAND.
END SUMMARY.

1. EVENTS INSIDE THE COURTROOM. AS THE DEPARTMENT WILL HAVE SEEN FROM WIRE SERVICE REPORTS, THE COURT HANDED DOWN THE MAXIMUM SENTENCE UNDER ARTICLE 70-1 OF THE RSFSR CRIMINAL CODE, SEVEN YEARS' IMPRISONMENT AND FIVE YEARS' INTERNAL EXILE, STRICT REGIME, MID-AFTERNOON MAY 18. THE COURT DID NOT CONVENE UNTIL 1:30 P.M. WHEN THE PRESIDING JUDGE READ THE COURT'S DECISION. ACCORDING TO MRS. ORLOV, THE DECISION CITED ORLOV'S INTERVIEWS WITH WESTERN CORRESPONDENTS, ALTHOUGH NONE WAS NAMED, ORLOV'S PASSING ANTI-SOVIET MATERIAL TO THE WEST VIA CORRESPONDENTS, AS WELL AS THE VARIOUS DOCUMENTS AND WRITINGS EARLIER MENTIONED BY THE PROSECUTOR.

2. THE SENTENCE WAS GREETED BY A LENGTHY BURST OF APPLAUSE, MRS. ORLOV SAID, AND SOME SHOUTS TO THE EFFECT THAT "YOU SHOULD HAVE GIVEN HIM MORE*" ONE OF ORLOV'S SONS MISSED THE FIRST PART OF THE BRIEF COURT SESSION. MRS. ORLOV AND THE OTHER SON REFUSED TO STAND WHEN THE DECISION WAS READ. WHEN THE PRESIDING JUDGE ORDERED THEM TO RISE, MRS. ORLOV STATED SHE WOULD NOT BECAUSE SHE DID NOT RESPECT THE SOVIET LEGAL SYSTEM. TWO PLAINCLOTHESMEN THEN FORCED HER TO HER FEET, WHILE TWO OTHER PLAINCLOTHESMEN TOOK THE SON OUT OF THE COURTROOM. SHE SAID THAT HER HUSBAND WAS CALM AND COMPOSED AS THE SENTENCE WAS READ, AND SMILED AND WAVED AT HER AS HE WAS LED OUT OF THE ROOM.
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3. THE SAKHAROV INCIDENT. AS EMBOFF ARRIVED AT THE COURT-HOUSE SHORTLY BEFORE TEN A.M., SAKHAROV AND HIS WIFE WERE AT THE BARRICADES INSISTING THEY HAD THE RIGHT UNDER SOVIET LAW TO BE PRESENT WHEN THE SENTENCE WAS PRONOUNCED. THE MILITIA QUIETLY REFUSED. SAKHAROV SPOTTED EMBOFF STANDING NEARBY, TURNED AND ADDRESSED EMBOFF (WITHOUT MENTIONING EMBOFF'S NAME OR AFFILIATION) ALONG FOLLOWING LINES:

--REFUSAL OF PERMISSION TO ENTER IS A CRUDE VIOLATION OF SOVIET LAW, WHICH PROVIDES THAT ANYONE WHO WISHES CAN BE PRESENT WHEN A SENTENCE IS READ;

--I ASSOCIATE MYSELF FULLY WITH YURIY ORLOV'S STATEMENT YESTERDAY CONCERNING THE DANGER OF IDOLOGICAL INTOLERANCE (REF A), AND REITERATE MY NOMINATION OF ORLOV FOR THE NOBEL PEACE PRIZE, WHICH IS MY RIGHT AS A NOBEL LAUREATE.

EMBOFF RESPONDED ONLY BY SAYING THAT HE UNDERSTOOD WHAT SAKHAROV HAD SAID (IN RUSSIAN).

4. SAKHAROV AND HIS WIFE THEN TURNED THEIR ATTENTION BACK

TO THE MILITIA, AGAIN INSISTING THEY BE ADMITTED. A MILITIA OFFICER THEN ORDERED THE SAKHAROV'S TO MOVE AWAY FROM THE BARRICADES, AND ABOUT THIS TIME MRS. SAKHAROV REPORTEDLY SLAPPED A MILITIAMAN IN THE FACE (EMBOFF DID NOT WITNESS THIS, BUT A WEST GERMAN NEWSMAN SAYS SHE DID) AND WAS FORCIBLY ESCORTED AWAY FROM THE BARRICADES BY TWO AUXILIARY MILITIA IN PLAINCLOTHES. WHEN SAKHAROV

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C O N F I D E N T I A L SECTION 02 OF 02 MOSCOW 11067

SAW THIS, HE SHOUTED "RELEASE MY WIFE" AND LUNGED TOWARD HER. A UNIFORMED MILITIA OFFICER GRABBED SAKHAROV FROM BEHIND, PINNING SAKHAROV'S ARMS TO HIS BODY.

5. AT THIS MOMENT, A SAKHAROV SYMPATHIZER -- VALERIY KOROTICH--BECAME EMOTIONALLY UPSET AND CHARGED TOWARD SAKHAROV TO ASSIST HIM. THE MILITIA POUNCED ON KOROTICH, A HUGE YOUNG MAN, AND WRESTLED HIM INTO A MILITIA VAN PARKED NEARBY. UPON SEEING THIS, BOTH SAKHAROV AND HIS WIFE ATTEMPTED TO FORCE THEIR WAY TO KOROTICH TO HELP HIM. THE MILITIA THEN FORCIBLY, BUT WITH RESTRAINT, PUT

SAKHAROV AND HIS WIFE INTO A SMALL BUS AND DROVE THEM
AWAY FROM THE COURTHOUSE.
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6. WE UNDERSTAND FROM DISSIDENT SOURCES THAT THE SAKHAROV'S
WERE DRIVEN TO A MILITIA STATION AND DETAINED THERE UNTIL
THE TRIAL CONCLUDED, ABOUT ABOUT 2:30 P.M. WE UNDERSTAND
THE SAKHAROV'S WERE THEN RELEASED. (DEPARTMENT WILL
HAVE SEEN TASS ACCOUNT WHICH ATTEMPTS TO JUSTIFY SAKHAROV'S
DETENTION ON GROUNDS THEY ACTED AS HOLLIGANS IN PREMEDI-
TATED MANNER.)

7. BESIDES KOROTICH AND THE SAKHAROV'S, FOUR OTHERS WERE
REMOVED FROM THE VICINITY OF THE COURTHOUSE BY THE MILITIA;
DIMA LEONT'YEV AND ALYONA ARMAND, WHO APPARENTLY WERE
INVOLVED IN AN ALTERCATION WITH THE MILITIA AS THE
SAKHAROV'S WERE BEING PUT INTO THE MILITIA BUS; AND TWO
FRIENDS OF YURIY ORLOV WHO DO NOT LIVE IN MOSCOW AND ARE
NOT KNOWN BY ORLOV'S MUSCOVITE FRIENDS. THE LATTER TWO
WERE PICKED UP SEVERAL HOURS AFTER THE SAKHAROV INCIDENT,
APPARENTLY FOR QUESTIONING. ONE REPORTEDLY WAS NAMED
VLADIMIR PAVLOV.

8. DETAILS OF PODRABINEK'S ARREST (UNDER ARTICLE 190)
AND OTHER DEVELOPMENTS ON THE HUMAN RIGHTS FRONT REPORTED
SEPTTEL. MATLOCK

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